

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

SIGNATURE MANAGEMENT
TEAM, LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

Case No.: 4:13 - 14005
Honorable Judith E. Levy

**DECLARATION OF BRIAN MacFARLAND
IN SUPPORT OF
DOE'S OPPOSITION TO MOTION TO COMPEL**

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Attorneys for Defendant

I, Brian C. MacFarland, declare as follows:

1. In 2006 I began an anonymous blog entitled “Lazy Man and Money,” (“Blog”) with the goal of publicly exploring “how I can save money and make more money.” Beginning in 2008 I began to focus on Multi-Level-Marketing (MLM) schemes. I did so in part because the distributors of such schemes were contacting me and trying to convince me that their respective schemes were ways to achieve financial security. I began to investigate the issue whether it is realistic for ordinary people such as myself to imagine that we can achieve financial security by participating in such schemes. Like Amthrax, I have come to the conclusion, and present the argument on my Blog, that it is highly unlikely, and that in general people pursuing MLM “opportunities” are squandering their time and energies. Generally speaking, my Blog argues that the MLM industry has not been receiving appropriate scrutiny from consumer protection regulators.

2. On my blog I have extensively commented and criticized certain MLM schemes in particular, including Mona Vie and LifeVantage Corporation.¹

3. As an anonymous blogger, I sometimes encountered harassing or threatening language, either in comments that persons made on my own Blog or on other blogs, including blogs that have been set up to counter the criticisms of anti-

¹ LifeVantage has publicly confirmed my identity by filing a defamation suit against me, which is currently pending. (Joshua Koltun is my attorney).

MLM bloggers such as myself. For example I had blogged about Mona Vie (an MLM company) and received the following threats from a MonaVie distributor: “People are watching you, following you and marking you,” and later: “... why dont you step into the octagon with me yu pencil neck geek and i show u what a reall man is made of... i’m gonna pay u a vist!” and “You like eating your steak with a straw I guess... Get your straws ready.” I got another comment concerning an article I had written about another company: “Just so you know, there are people who if they could find you would kill you for your lies.”

4. So long as my identity was not known, I believed this gave me some level of security. However, at some point in 2009, some Mona Vie distributors figured out my identity and posted it. Now that my identity has been published, harassing and threatening posts are of far greater concern to me and to my family. The comments below disclose addresses of properties that I owned or at which I lived, although not necessarily at the times that the comments were posted. Even where the post failed to show the address at which I currently lived, I was nonetheless concerned about posts urging people to find me and “visit” me in person, because it raised the likelihood that someone might ultimately do so.

5. For example, the following comment was posted by someone on the protandimretort.com website, which is a blog aimed at rebutting my Blog. The Blog’s fully title is “Protandim Retort; Clearing up the Lies Spread by Lazy Man

and other Misinformed Bloggers.” Protandim is the herbal supplement sold through LifeVantage’s MLM network.

Brian C MacFarland is a leech, the scum of society, for anyone in MA you can pay him a visit at his home:

*1109 Windsor Dr
Framingham, MA 01701*

or visit him at work

*WHERE, Inc.
77 N Washington St, 3rd Floor
Boston, MA 02114*

Phone: 617.502.3100

Call his boss and let him know what he is doing on company time, blogging and smearing a reputable company.

6. The following series of posts were made on the same site.

As far as a law suit, it’s hard to track someone down to file a law suit against when they hide behind fake names like Corey Whitlaw, or is it Whitless. But now that everyone has his real name, and also his real address, which by the way it’s not 1109 Windsor Dr in Framingham Mass., then they can go after him. He actually lives in Rhode Island folks. He bought a lovely little house there last August....

I think would what be fun is to show just a couple of pieces of his real address every few days, if we’re lucky maybe it will caused him the same heart ache that he has caused so many folks in many direct selling companies.

With that said, here are a few pieces of his REAL address of his lovely 1800 sq ft home in Rhode Island which can be readily found online for all to see. And the publicly available address for Brian C (Corey is actually his middle name) Macfarland isssssss ...

*30 __ L ____ AVE
____ E ____
_ 2 _ 4 _, Rhode Island*

This should get back to him really quickly, his slimey bottom feeding mouth breathers are obviously reading these posts and reporting back to ole' Brian like good little zealots should.

Here is a crazy thought. I bet that if all of Brian's anti direct selling websites disappeared, the above address would also disappear as well. Just a wild guess.

...

Well I see Brian is not backing off, so here are a few more letters added to his REAL address.

30 A _ L _ N _ I _ AVE

_ _ _ D _ E _ _ _ N

_ 2 8 4 _ , Rhode Island

7. In April 26, 2014 the following was sent to me at my Blog:

I am contacting you here on behalf of a distinct organization to inform you of our resolute intention, and to give you one opportunity to avoid an intense vicissitude of direction in your very near future. This is the first and only communication that you have ever, and will ever receive from us. We have chosen to contact you here for purposes of clarity, as this site is the one to which we will be referring.

You may, if you wish, consider it an honor that you have come to our awareness. Congratulations, as you are now among a select few. Be aware that whether you choose to heed the words in this communication or not is of no importance to us. We have our orders and will carry them out in any case. This letter is simply a matter of internal protocol and etiquette.

The company known as LifeVantage has as of recently come under our protection for reasons and through channels which will not be disclosed. The decision to apply this protection is ours, not theirs. In fact, no principals of LifeVantage are even aware of our connection, or even existence. Nor are they aware that we are contacting you here today. There is no agreement between us and LifeVantage, nor any of its associates or representatives. This is not a legal agreement. Rather it is a decision that we have made of our own volition, and to protect our own interests. As such, we are sworn to safeguard LifeVantage and its associated people of consequence against those who would seek and/or have potential to do harm. You, Mr.

McFarland, have been identified as a primary threat and target, as you have been instrumental in damaging this company's reputation and economic profitability to an unknown degree. Whether what you are doing is morally and ethically sound or not is not a factor in our decisions. Again, we are simply protecting our own interests.

As of now, know that immediate arrangements have been made and procedures are in place to rectify and eliminate this problem, which is you. Are we threatening you? No, Brian, we are simply informing you of what will indeed occur with absolute certainty should you choose not to take these words seriously. Know that this is real! We are professionals. We know exactly how to deal very efficiently with situations such as this. We have been doing this for a very long time - in fact, longer than you have been alive - longer than you can imagine. Our methods are not experimental. Nor do we ever fail to achieve our objectives. You may by now be gaining a faint awareness of who we are. Know that this is real!

I will be forthright: Were you in a higher echelon of society, you would already understand fully how we operate. You would know that our threats are always carried out. We operate under an alternate moral code which you may not understand. We have no qualms whatsoever about doing whatever is necessary in order to ensure compliance with our requests. To be perfectly clear, we will not, at first, come after you. There is no need for you to attempt to hide, nor seek personal protection. It is not necessary, nor would it be effective in any way. No, this is not how we operate. It is your loved ones, your immediate family, friends, relatives, and associates that will unfortunately be harmed should you fail to comply with our request yet to come. Yes, know that you will be responsible for the untold pain and suffering, and even untimely deaths of those that you care about most dearly. We have no need to dispose of you, as we know without question that if you allow these events to occur, you will most assuredly be driven to suicidal thoughts and even actions as the grim reality of what you have brought about sinks in to your awareness.

We have a multiplicity of methods to carry out these ends, all of them pre-meditated, practiced and perfected, 100% effective, and 100% undetectable. We do not operate with the crudeness of the Cartel. Various illnesses, degenerative and infectious diseases, and accidents causing varying degrees physical harm and disfiguration are our preferred methods of action. Our methods of administration are both innovative and infallible. You will never

be able to predict where or when our next target will be acquired. Time is of no consequence to us, once the plan is underway. You will simply be put on "the schedule." You will never know who the next target is. You will never know the severity of the pain that will be inflicted. No one will ever believe you if you claim that these accidents and illnesses are anything other than chance. Even this letter will simply be dismissed as the ravings of an inconsequential lunatic - just as you are considering dismissing it now.

There is in fact nothing that you or anyone else can do to stop us from carrying out our mission, for we are organized, silent and invisible, as a ghost in the night. Report this communication to the authorities if you wish. WE ARE THE LAW! Pray to a higher power. WE ARE THE GODS! Know that this is real!

Understand and KNOW that all of these things are assured if you choose not to comply with our demands to follow. There is no negotiating here whatsoever. In fact, any reply that you send to this message will never be seen by anyone, as this was sent from a fake email that will never be checked, created with a fake name, from a random, public-access computer with no user documentation, in a random business, in a random city, in a random state.

Also and most importantly for you, realize that all of this can be avoided completely if you simply comply with the following requests:

Immediately and irrevocably remove all references, be they direct or implied, to LifeVantage or Protandim from all websites, biogs, or other communications that you control or associate with. Encourage and insist that your associates do the same. Cease immediately to ever speak of LifeVantage or Protandim in any written or audible form or forum ever again. You will be given until the fifth day of May to fully comply. Not one day more. This gives you a mere few days. Do not delay.

These are our demands. They are simple and few. We have no desire to harm you or anyone else. We have no desire to keep you from earning a living in all ways that you have been thus far, save any avenue where LifeVantage is involved. You may continue your biogs. Surely you are intelligent enough to realize that whatever income you will lose by ignoring LifeVantage, you can easily enough replace by focusing on any number of

the multitude of companies in existence. Be assured that none of these other companies are of any consequence or concern to us, and the reasons for this are of no concern to you. Your blog may continue, just simply remove all content associated with Lifevantage. By the way, also realize forevermore that if any of this content ever resurfaces, the above described actions will immediately be put into effect without further warning or notice. You will never hear from us again.

Comply by May fifth and you can sleep in peace, knowing that your loved ones and friends will remain unharmed and untouched. Fail to comply by May fifth and we WILL take action! Make no mistake about the seriousness of this promise. Do not let your greed cloud your decisions. Do not make the grave error of believing this message a farce. Are you prepared to be responsible for bringing about the untold suffering of those around you - those you supposedly care about? Perhaps you are, and so you shall be

We are fully aware of your foolishness. We realize that it is very likely that you will not heed these warnings. This is not uncommon in our line of work. Arrangements are already in place. All contingencies have been considered and dealt with. Only YOU can stop this hammer from falling - if you so choose.

I have grown bored of and annoyed with this communication. Normally, those with whom we deal know exactly who we are and as such, one sentence is sufficient to put our point across without question. I have already given you far more time that I care to. It is not my choice to deal with you, but it is my duty. So you will be dealt with ...

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Sincerely,*

The Reaper /- -->

I contacted the police about this message and was interviewed by them and by the FBI, but so so far as I know their investigation has not determined the source of the message.

8. Just in the last month an anonymous commenter on the Protandim

Retort blog made the following comment, which is false and has absolutely no basis in reality:

Yes I am renaming anonymous because I don't want to be in this guys cross hairs. The truth is coming out about Brian Macfarland. I found a woman who told me a troubling story. She said when she was 11 Brian Macfarland Molested her. She said that she has kept this information secret for years and there is no way she wants to relive this in a court room. I did a little digging and verified its this same guy posting on the Lazyman money website. I don't know much about what he talks about on his website weather its right or wrong but this guy needs stopped. I hope someone else comes forward and goes to the cops. Unfortunately it will probably be his own kids. Does anyone know anything about his kids? I'm sure a call to child abuse hotline would be in order.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

_____/s/_____
Brian C. MacFarland

Executed on April 16, 2015 at Middleton, Rhode Island

I attest that I have on file a copy of the original signed version of this Declaration.

Dated: April 17, 2015

_____\s_____
Joshua Koltun
Attorney for Defendant Doe

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2015 I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing electronically to all counsel of record.

Executed on April 17, 2015, at San Francisco, California.

/s/Joshua Koltun

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